

## **Exhibit D-2**

### Email Bounce-Back from Loan Officer Shawn Wainwright

This exhibit contains a formal preservation of evidence notice emailed to New American Funding and their officers on April 17, 2025. The email was rejected by the recipient server, evidencing potential spoliation or failure to maintain open communication channels during pending federal litigation. This document is cited as supporting evidence in the sanctions and emergency discovery filings.

From: Mail Delivery System [mailer-daemon@icloud.com](mailto:mailer-daemon@icloud.com)  
Subject: Undelivered Mail Returned to Sender  
Date: Apr 17, 2025 at 6:06:32 AM  
To: [mfmallah87@icloud.com](mailto:mfmallah87@icloud.com)

This is a system-generated message to inform you that your email could not be delivered to one or more recipients. Details of the email and the error are as follows:

<[sean.wainwright@nafinc.com](mailto:sean.wainwright@nafinc.com)>: host

[nafinc-com.mail.protection.outlook.com](mailto:nafinc-com.mail.protection.outlook.com)[52.101.8.46] said: 550 5.4.1

Recipient address rejected: Access denied. For more information see  
<https://aka.ms/EXOSsmtpErrors>

[[MN1PEPF0000ECD5.namprd02.prod.outlook.com](mailto:MN1PEPF0000ECD5.namprd02.prod.outlook.com)

2025-04-17T10:06:24.770Z 08DD7D7D7FCE9303] (in reply to RCPT TO command)

<[consumercomplaints@hud.gov](mailto:consumercomplaints@hud.gov)>: host

[hud-gov.mail.protection.outlook.com](mailto:hud-gov.mail.protection.outlook.com)[52.101.8.52] said: 550 5.4.1 Recipient address rejected: Access denied. For more information see

<https://aka.ms/EXOSsmtpErrors> [[DS4PEPF00000172.namprd09.prod.outlook.com](mailto:DS4PEPF00000172.namprd09.prod.outlook.com)

2025-04-17T10:06:24.899Z 08DD7CB4E0B50F67] (in reply to RCPT TO command)

<[complaints@consumerfinance.gov](mailto:complaints@consumerfinance.gov)>: host

[consumerfinance-gov.mail.protection.outlook.com](mailto:consumerfinance-gov.mail.protection.outlook.com)[52.101.8.50] said: 550

5.4.1 Recipient address rejected: Access denied. For more information see

<https://aka.ms/EXOSsmtpErrors> [[DS4PEPF0000016F.namprd09.prod.outlook.com](mailto:DS4PEPF0000016F.namprd09.prod.outlook.com)

2025-04-17T10:06:25.165Z 08DD7CFE37663FE5] (in reply to RCPT TO command)

**Delivery report**

1 KB

Return-Path: DKIM-Signature: v=1;

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(Postfix) with ESMTPS id E0041180014E; Thu, 17 Apr 2025 10:06:23 +0000 (UTC)  
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[17.57.155.37]) by [outbound.qs.icloud.com](mailto:outbound.qs.icloud.com) (Postfix) with ESMTPSA id  
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C86E-4C50-83F4-7C2FC8AEABD4 Content-Transfer-Encoding: 7bit From:  
[mfmallah87@icloud.com](mailto:mfmallah87@icloud.com) Mime-Version: 1.0 (1.0) Subject:=?utf-8?Q?  
Formal\_Preservation\_of\_Evidence\_Note\_=E2=80=93\_Pendi?==?utf-8?Q?  
ng\_Federal\_Litigation\_=28Butler\_v.\_New\_American\_Funding=29?==?utf-8?Q?\_?  
=? Date: Thu, 17 Apr 2025 06:06:12 -0400 Message-Id: Cc: [legal@nafinc.com](mailto:legal@nafinc.com),  
[compliance@nafinc.com](mailto:compliance@nafinc.com), [sean.wainwright@nafinc.com](mailto:sean.wainwright@nafinc.com), [jason.miller@nafinc.com](mailto:jason.miller@nafinc.com)  
To: Amy Dale X-Mailer: iPhone Mail (22D82)